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Date: January 28, 2005

To: Examiner Susan Ungar

Company: US Patent & Trademark Office
Technology Center 1600

Fax: (703) 872-9306

Sender: Cheryl A. Liljestrand

RE: U.S. Application No. 10/005,438

Attorney Docket No.: TNX95-02ABB

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PATENT
ATTORNEY DOCKET NO.: 95-02ABB
Customer No.: 26839**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**In Re Application of:
Liming YU et al.

Serial No.: 10/005,438

Filed: December 3, 2001

For: HYBRID WITH INTERFERON- α AND AN
IMMUNOGLOBULIN Fc FOR
TREATMENT OF TUMORS

Group Art Unit: 1642

Examiner: S. Ungar

Assistant Commissioner for Patents
Washington, D.C. 20231
Dear Sir:**RESPONSE TO RESTRICTION REQUIREMENT**

In response to the Restriction Requirement mailed on October 28, 2004, Applicants elect Group I with traverse. Applicants do not contend that Interferon alpha or beta were novel at the time of filing, but rather that the concept of extending the half life of these molecules with an Fc fusion without the use of a linker was novel and unobvious at the time of filing. Thus, Applicants submit that the burden of search is minimal for the fusion molecule Interferon beta molecule for Group II. Moreover, the addition of a second molecule of interferon to the fusion adds no additional search burden. Therefore, Applicants request that the Restriction Requirement as to Groups I to IV be withdrawn.

Because this response is being filed within the 3-month time limit given in the Office Action, no fee should be due for filing this response. However, should a fee be necessary, please charge our deposit account #20-0087.

Respectfully Submitted

By: Cheryl A. Liljestrand
Reg. No. 45,275

Dated: January 28, 2005.